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Director

16 April 2018

Mr António Guterres
Secretary-General of the United Nations
United Nations Headquarters, New York

Re: Announcement and selection of the next United Nations High Commissioner for Human Rights

Dear Secretary-General Guterres,

I write on behalf of the Jacob Blaustein Institute for the Advancement of Human Rights, which for more than forty years has sought to strengthen human rights protection through international institutions, and particularly the mechanisms of the United Nations. Since JBI's inception, one of its primary concerns has been establishing and advancing successful leadership by the UN High Commissioner for Human Rights. Our efforts are described in the 2014 volume *The United Nations High Commissioner for Human Rights: Conscience for the World* (Martinus Nijhoff) and have been recognized by successive High Commissioners, including most recently in a lecture delivered by High Commissioner Zeid Ra'ad al-Hussein in New York on October 19, 2017 entitled "Why we stand up for human rights."¹

We note that High Commissioner Zeid, who took up his current four-year term of office on September 1, 2014, was selected to the post through a process that involved a formal vacancy announcement being posted on the UN website's Senior Leadership Vacancies page and distributed publicly by the UN, including to members of civil society, as early as February 2014. This public call for applications supplemented the Secretary-General's own search and consultations.

Given this past practice, we are concerned that although High Commissioner Zeid's current term in office will come to an end on August 31, 2018, and although he announced publicly in December 2017 that he is not seeking to be reappointed to a second term, no similar public vacancy announcement for the High Commissioner post has been distributed to the public to date.

Since the first High Commissioner for Human Rights took office in 1994, this post has become an essential voice of conscience within the UN system and an advocate for the promotion and protection human rights around the world. Human rights defenders and victims of human rights violations are now justified in expecting that you will select a High Commissioner who will act, and be seen to act, in their interests. In light of these concerns, we encourage you to move expeditiously to publicly solicit applications for the High Commissioner post, from civil society as well as other stakeholders, and to put in place a transparent timetable and process for selection of this key UN official.

We also note that the 2014 vacancy announcement for the High Commissioner outlined a number of qualifications that candidates for the post should possess.² This list of qualifications was appropriate and consistent with UN General Assembly Resolution 48/141, which establishes the High Commissioner's mandate. JBI has particularly emphasized that the High Commissioner should possess the qualities and experience that will allow him or her to (1) exercise leadership, by maintaining and defending the

independence of the Office of the High Commissioner for Human Rights, monitoring and publicly presenting information about emerging human rights crises, and ensuring effective work by human rights field presences; (2) maintain the UN's credibility on human rights, by gathering accurate information about human rights conditions, conveying it to relevant UN stakeholders and ensuring that UN officials respond appropriately to the human rights conditions they encounter; and (3) remain accountable to victims of rights violations, not only by speaking out against the commission of gross human rights abuses, but more generally by acting as well as being seen to act in a way that provides protection for the work of human rights defenders and affirms the principle of "all human rights for all."

We urge you to follow the example followed by your predecessor and to publicly articulate the qualities you are seeking in his successor as UN High Commissioner for Human Rights before your search comes to a close. At a time at which powerful actors are seeking to undermine the protection of human rights around the world, as well as the efforts of the United Nations to promote the protection and enjoyment of human rights as one of its core functions, to an unprecedented degree, it is more important than ever that the UN Secretary-General be seen to seek the assistance of a particularly capable leader in the post of High Commissioner for Human Rights, and to desire the support of civil society in identifying the person best suited for this high-level and highly-regarded post.

Thank you for your attention to this important issue.

Sincerely,



Felice D. Gaer

Director, Jacob Blaustein Institute for the Advancement of Human Rights

¹ Available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22266&LangID=E>.

² These were: Impeccable personal and professional integrity; Strong diplomatic and political skills; Demonstrated extensive knowledge of human rights issues and challenges derived from experience of leadership in an academic, governmental, inter-governmental and/or non-governmental setting; Demonstrated leadership experience with strategic vision and proven skills in managing complex organizations; Ability to build consensus and stimulate effective campaigns among a broad spectrum of people and organizations, on main human rights issues; Ability to be a powerful and convincing advocate on all aspects of human rights worldwide within the United Nations system, including charter- and treaty-based human rights bodies, and with Governments, national institutions and civil society organizations, as well as the wider public; An excellent understanding of the United Nations system and mechanisms, including peacekeeping, humanitarian and development settings and challenges.